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REVIEWS.

HAND-BOOK OF CRIMINAL LAW. By Wm. L. Clark, Jr. 8vo. pp. xi., 450.
St. Paul: West Publishing Co. 1894.

It seems a pity that many lawyers or law-students should be satisfied with a "hand-book" on so important a branch of the law; but the enterprising publishers of this manual have no doubt assured themselves in advance of a sale. Such a book might be read as a preparation for study of the law of Crime; and if its statements were as accurate as they are broad, it might be handy for review. That any one, even by committing bodily to memory the concise formulæ of its "black-letter text," should get to know much about Criminal Law is as unlikely as that one who has the formulæ of the Differential Calculus carefully drawn off in his memorandum book should thereby become master of that branch of mathematics.

The author shows facility at formulating rules clearly and concisely, and wisely gives considerable space to general principles. As might be expected, he slips easily over the difficulties of the subject. Thus the important question of the intent required in statutory crimes is dismissed in a few sentences, and contradictory decisions are cited side by side, without a hint of the fundamentally conflicting theories (p. 70). The anomalous doctrine of the Massachusetts court is stated without comment, as if it were everywhere acquiesced in; and *Regina v. Tolson* (23 Q. B. D. 168) is not even referred to in this connection. Nor does Mr. Clark hesitate to state (p. 358) that the territorial limits of a country extend outward into the ocean a marine league, though a majority of the judges in *Regina v. Keyn* (2 Ex. D. 63) thought otherwise, after one of the most elaborate discussions to be found in the books. Mr. Clark does not cite the case.

The subject of Larceny tests the extent of one's knowledge of the law of Crime; and here the author shows some lack of familiarity with his material. One cannot be expected to reach accurate results who starts with the following definitions (p. 249): "Possession is the present right and power to control a thing." "Property in a thing is the right to possession, coupled with an ability to exercise that right." With such notions he may well believe that fraud vitiates the owner's consent to the original taking, and makes it a trespass (p. 250). But this misconception will hardly excuse the statement, in the discussion of "Receiving Stolen Goods," that "the fact that the goods were stolen in another State is immaterial" (p. 289), citing in support of it a case which assumes the contrary to be true.

J. H. B.